



SUMMER FOOD SERVICE PROGRAM

CLARIFICATION OF FEDERAL POLICY

In Texas, organizations contracting directly with the Texas Department of Agriculture (TDA) to operate nutrition programs federally funded through the United States Department of Agriculture (USDA) are called Contracting Entities, or CEs. The Summer Food Service Program (SFSP) is a federally funded nutrition program and, as such, sponsors are considered CEs. CEs operating the Seamless Summer Option (SSO) should reference the *Administrator's Reference Manual (ARM) Section 12, Seamless Summer Option*, for guidance.

Each year, the USDA publishes the SFSP *Administrative Guidance for Sponsors (AGS)* which provides federal policy, program guidance and information for all CEs that participate or plan to participate in SFSP. TDA occasionally issues a Clarification of Federal Policy, such as this one, to supplement and clarify federal policy set out in the AGS.

Categorical Eligibility in the Summer Food Service Program

On December 8, 2014, USDA issued policy memorandum [SFSP 06-2015, Categorical Eligibility in the Summer Food Service Program](#) which offers consolidated guidance on categorical eligibility determinations in SFSP. Categorical eligibility is applicable only in instances where sites or CEs must take applications to determine eligibility.

Foster Children

The Healthy, Hunger-Free Kids Act of 2010 expanded categorical eligibility for all child nutrition programs to children placed in foster care by a State child welfare agency or a court. Children placed in foster care are automatically eligible for free meals in SFSP.

The Texas Department of Family and Protective Services (DFPS) has a standard form, *Form 2085FC Placement Authorization Foster Care/Residential Care* that contains authorization establishing the categorical eligibility of children named on the form to participate in federally assisted meal programs, including SFSP. Those CEs operating a site or sites under SFSP needing to establish the eligibility of individual participants shall accept DFPS *Form 2085FC* as proof of categorical eligibility for the child named on the form and therefore not require any additional enrollment form, income eligibility form, or separate application as proof of eligibility to participate in SFSP.

Migrant, Runaway, and Homeless Children

Information about the categorical eligibility of migrant, runaway, and homeless children, including Haitian refugees and evacuees of Japan and Bahrain living with host families considered to be homeless, can be found in USDA's *Administrative Guidance for Sponsors*.

Other Program Participants

Information about the categorical eligibility of participants of other comparable Federal Assistance Programs, Head Start, Early Head Start, and the Workforce Investment Act program can be found in USDA's *Administrative Guidance for Sponsors*.

The *Administrative Guidance for Sponsors* also provides additional information on the eligibility of Upward Bound participants who meet the income eligibility requirements for SFSP.